

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-vs-

02-CR-73-A(1),(5),(9),(15)

MARK CONGI,
ALBERT CELESTE,
PAUL BELLRENG,
JOEL CICERO,

Defendants.

GOVERNMENT'S SECOND SUPPLEMENTAL BILL OF PARTICULARS

The United States of America, by and through its attorney, Terrance P. Flynn, United States Attorney for the Western District of New York, and William J. Hochul, Jr., and Brett A. Harvey, Assistant United States Attorneys, hereby submits its Second Supplemental Bill of Particulars.

**ADDITIONAL RACKETEERING ACTS AND/OR ACTS RELATED TO THE CRIMINAL
ENTERPRISE**

TM Enterprises

1. In or about July, 2001, defendant PAUL BELLRENG spoke to the owner of TM Enterprises, Tim Maerten, while Maerten was performing landscaping work at the Tuscarora Village, in Niagara County, New York. BELLRENG stated, in sum and substance, that

Maerten's company would lose more money than he would make, if he continued to use his non-union company for the project. Maerten interpreted this statement as a threat, and discontinued work thereafter because of his fear of economic and physical harm.

City Officials John Accardo and Vincenzo Anello

2. In or about December, 1999, Vincenzo Anello, while serving as a Councilman for the City of Niagara Falls, spoke out and voted against the Laborers Local 91 contract with the City of Niagara Falls. Thereafter, his tires were punctured and the body of his vehicle damaged. Co-defendant Andrew Shomers committed this conduct at the direction of MARK CONGI.

3. In or about December, 1998, John Accardo, while serving as a Councilman for the City of Niagara Falls, planned to run for Mayor against a candidate favored by Laborers Local 91. In that time period, his tires were punctured and the body of his vehicle

damaged. Co-defendant Andrew Shomers committed this conduct at the direction of MARK CONGI.

DATED: Buffalo, New York, July 12, 2006.

Respectfully submitted,

TERRANCE P. FLYNN
United States Attorney

BY: s/Brett A. Harvey for
WILLIAM J. HOCHUL, JR.
Assistant U.S. Attorney
U.S. Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
(716) 843-5700, ext. 887
william.hochul@usdoj.gov

BY: s/Brett A. Harvey
BRETT A. HARVEY
Assistant U.S. Attorney
U.S. Attorney's Office
Western District of New York
100 State Street
Rochester, New York 14614
(585) 263-6760, ext. 2249
brett.harvey@usdoj.gov

TO: Joel L. Daniels, Esq.
Terrence M. Connors, Esq.
John J. Molloy, Esq.
Joseph M. LaTona, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2006, I electronically filed the foregoing **Government's Second Supplemental Bill of Particulars** with the Clerk of the District Court using its CM/ECF system which would then electronically notify the following CM/ECF participant(s) on this case:

Joel L. Daniels, Esq.

Terrence M. Connors, Esq.

John J. Molloy, Esq.

I hereby certify that on July 12, 2006, I mailed the foregoing **Government's Second Supplemental Bill of Particulars**, by the United States Postal Service, to the following non-CM/ECF participant(s):

Joseph M. LaTona, Esq.
716 Brisbane Building
Buffalo, New York 14203

s/Karen A. Brown
KAREN A. BROWN